

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 12-2540 & 12-2541

SAM HARGROVE; ANDRE HALL; MARCO EUSEBIO,
individually and on behalf of all others similarly situated,
Appellants No. 12-2540
v.

SLEEPY'S LLC,
Cross-Appellant in No. 12-2541

v.

I STEALTH, LLC; EUSEBIO'S TRUCKING CORP;
CURVA TRUCKING, LLC

On Appeal from the United States District Court
for the District of New Jersey

(D. N.J. No. 3-10-cv-01138)
District Judge: Honorable Peter G. Sheridan

ARGUED on April 23, 2013

BEFORE: JORDAN, SLOVITER, and NYGAARD, *Circuit Judge**

JUDGMENT

* Judge Sloviter assumed senior status on June 21, 2013.

This cause came to be heard on the record from the United States District Court for the District of New Jersey and was argued by counsel on April 23, 2013.

On consideration whereof, it is now hereby ORDERED and ADJUDGED by this Court that the order of the said District Court entered on March 29, 2012 be and the same hereby is VACATED. This matter is hereby REMANDED for further consideration consistent with our opinion.

The cross-appeal filed the Appellees at number 12-2541 is hereby DISMISSED as moot.

Costs are taxed against the Appellee.

All of the above is in accordance with the Opinion of this Court.

ATTEST:

s/Marcia M. Waldron
Clerk

Dated: May 12, 2015